

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 470 of 1996

MOHAMMAD SIDDIK HAJI GULAM MOHAMMAD

Versus

URBAN LAND TRIBUNAL

Appearance:

MR PB MAJMUDAR for Petitioner

MR MUKESH PATEL AGP for Respondent No. 1, 2

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 18/08/1999

ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March, 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed off accordingly.

5. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No. ULC/1099-602/V1 dated 15th April, 1999.

6. Rule is accordingly discharged with no order as to costs. Interim relief, if any, stands vacated.

7. From the record of the present proceedings, it would appear that the petitioners are in possession of

the property in question. Even the parawise remarks which are furnished to the learned AGP and which were made available to this Court indicate that proceedings have been taken only upto the stage of section 10 (5) leaving the actual and physical possession with the petitioners. It is clarified that these are mere observations on the record of the petition and are not to be regarded as findings of fact on any factual controversy between the parties.

(Y.B. BHATT, J.)

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